

Message Text

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20

ORIGIN NEA-12

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

EUR-25 OMB-01 GAC-01 /106 R

DRAFTED BY NEA/ TUR: RSDILLON: DLS

4/19/73 EXT. 20714

APPROVED BY L: GHALDRICH

L/ NEA: ATBROWN

----- 120296

R 191754 Z APR 73

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

C O N F I D E N T I A L STATE 073598

E. O. 11652: GDS

TAGS: MILI, TU

SUBJ: CPL LEON LOFTHOUSE

REF: STATE 71704

1. DEPT COGNIZANT THAT DECISION CONVEYED REFTEL INCONSISTENT WITH EMB RECOMMENDATIONS WHICH WERE BASED ON VALID CONCERNS FOR REPERCUSSION TRIAL IN TURKEY. DECISION, HOWEVER, BASED ON CONSIDERATION OF MILITARY JUSTICE GOING BEYOND OUR SPECIFIC INTERESTS IN TURKEY, WHICH WERE ALSO FULLY CONSIDERED IN WASHINGTON.

2. BASIC TO OUR POSITION IS A DESIRE TO MAINTAIN INTEGRITY OF NATO STATUS OF FORCES AGREEMENT. MOREOVER, OBLIGATIONS UNDER ARTICLE II OF SOFA REQUIRE US TO EXERCISE JURISDICTION OVER PEOPLE FOR WHOM WAIVERS HAVE BEEN GRANTED, AND TURKEY HAS AGREED IN ARTICLE VII THAT U. S. ENTITLED TO TRY USG MILITARY PERSONNEL IN TURKEY. LATTER IS A RIGHT WE WISH TO EXERCISE, ALTHOUGH WE RECOGNIZE THAT SPECIAL CIRCUMSTANCES IN A PARTICULAR CASE MIGHT WARRANT ANY HOST GOVERNMENT, ON POLITICAL GROUNDS OR OTHER

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SPECIAL CIRCUMSTANCES, ASKING US NOT TO EXERCISE THAT RIGHT. WE WOULD NOT LIGHTLY DISREGARD SUCH A REQUEST, BUT OUR PRESENT UNDERSTANDING IS THAT EMB OBJECTIONS TO RETURN OF LOFTHOUSE ARE ON GROUNDS OF GENERAL SENSITIVITY.

3. WE WOULD APPRECIATE EMB RECOMMENDATIONS ON HOW MODALITIES OF TRIAL IN TURKEY MIGHT BEST BE HANDLED. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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30 JUN 2005

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